

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

ROBERT M. BOWMAN,)
)
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Plaintiff,)
)
)
v.) Case No. 2:25-cv-00002-RHH
)
)
EMILY UNKNOWN, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

Plaintiff previously moved for leave to proceed in forma pauperis, but was denied such leave due to his failure to include the required account statement. Now, Plaintiff has responded to the Court's May 20, 2025 and June 25, 2025 Orders by filing a certified inmate account statement. (ECF No. 33). The Court liberally construes Plaintiff's filing as a request for leave to proceed in forma pauperis, and will grant Plaintiff such leave. Additionally, the Court will assess an initial partial filing fee of \$3.93, and direct Plaintiff to pay that fee within 30 days.

A prisoner bringing a civil action in forma pauperis "shall be required to pay the full amount of a filing fee." 28 U.S.C. § 1915(b)(1). If the prisoner has insufficient funds in his prison account to pay the entire fee, the Court must "collect . . . an initial partial filing fee of 20 percent of the greater of . . . the average monthly deposits to the prisoner's account[] or the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the complaint." *Id.* "After payment of the initial partial filing fee, the prisoner must make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account." 28 U.S.C. § 1915(b)(2). "The agency having custody of the prisoner shall forward

[those] payments to the [C]lerk of [C]ourt each time the amount in the account exceeds \$10 until the filing fees are paid." *Id.*

Here, Plaintiff's account statement shows an average monthly deposit of \$19.65, and an average monthly balance of \$9.38 calculated from the tenth day of each month, the date Plaintiff often received payroll deposits. Applying the terms of the statute, 20 percent of the greater of those figures is \$3.93. Accordingly, the Court assesses an initial partial filing fee of \$3.93 and will order Plaintiff to pay that sum to the Clerk of Court within 30 days. If Plaintiff fails to timely pay the initial partial filing fee or show he has no assets and no means to do so, the Court may dismiss this action without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Robert M. Bowman is **GRANTED** leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that, within thirty (30) days of the date of this Order, Plaintiff must pay an initial filing fee of \$3.93. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) the statement that the remittance is for an original proceeding.

Dated this 6th day of August, 2025.



RODNEY H. HOLMES
UNITED STATES MAGISTRATE JUDGE